

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

IN THE MATTER OF:)
Complaint 2012-029)

Darrick Jackson,)
Respondent.)

State Ethics Commission,)
Complainant.)

BEFORE THE STATE ETHICS COMMISSION

CONSENT ORDER

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This matter comes before the State Ethics Commission by virtue of a complaint filed by the Commission on October 5, 2011. The complaint against the Respondent, Darrick Jackson, was considered by the Commission on January 18, 2012 and probable cause found to warrant an evidentiary hearing. Prior to the call of the case, Respondent agreed to entry of the following statement of facts, conclusions of law, discussion, admission, and disposition in this matter. The following charges were alleged:

COUNT ONE
USE OF OFFICIAL OFFICE FOR GAIN
SECTION 8-13-700(A), S.C. CODE ANN., 1976, AS AMENDED

The Respondent, Darrick Jackson, Mayor of Timmons ville, did in Florence County, in November 2009, unlawfully violate Section 8-13-700(A), by knowingly using his official office to obtain an economic interest for himself by having the Town of Timmons ville pay \$100.00 for the rental of a building for Respondent's inaugural ceremony.

COUNT TWO
USE OF OFFICIAL OFFICE FOR GAIN
SECTION 8-13-700(A), S.C. CODE ANN., 1976, AS AMENDED

The Respondent, Darrick Jackson, Mayor of Timmons ville, did in Florence County, in April and August 2010, unlawfully violate Section 8-13-700(A), by

knowingly using his official office to obtain an economic interest for himself by changing the Timmons ville mileage reimbursement for himself from \$.44 to \$.51 and \$.555 per mile without council approval.

STATEMENT OF FACTS

1. The Respondent, Darrick Jackson, is the Mayor of the Town of Timmons ville.
2. Town of Timmons ville (check number 21559), dated December 18, 2009 in the amount of \$100.00, was made payable to the Town of Timmons ville. The Town Clerk took possession of this check and, through First Citizens Bank, converted the check into a cashier's check payable to the Army National Guard Armory in the amount of \$100.00.
3. Records of the Army National Guard reviewed by the Commission investigator indicate that the cashier's check was then used to pay for the rental of the Armory for the mayoral inauguration. There was no documentation located at the Town of Timmons ville to show that this expenditure was an approved town function authorized by town council.

CONCLUSIONS OF LAW

Based upon the Statement of Facts, the Commission concludes, as a matter of law:

1. During all times relevant, the Respondent, Darrick Jackson, was a public official, as defined by S.C. Code Ann. § 8-13-100(27) (Supp. 2011).
2. The State Ethics Commission has personal and subject matter jurisdiction.
3. Section 8-13-700(A) prohibits a public official from using his official office to

obtain an economic interest for himself.

DISCUSSION

Two signatures are always required for a Town check, and the Town check issued for the purpose of renting out the Armory was signed by both Respondent and Jeogmi Parks, who at the time served as the Town's Clerk/Treasurer. Ms. Parks then endorsed the Town check, took possession of the check, and got the cashier's check. The rental contract for the Timmonsville Army National Guard Armory required a cashier's check, which is why a Town check was issued first, and then a cashier's check was ultimately used to pay the rental fee.

Moreover, the inauguration was not only for Respondent, but also for the three other Timmonsville Councilmen who had been recently elected. Although there was no written record in the meeting minutes, Respondent asserts that the town council approved this expenditure.

ADMISSIONS

The Respondent, Darrick Jackson, admits he violated Section 8-13-700(A) of the Ethics Reform Act.

DISPOSITION

Count two is dismissed. The State Ethics Commission hereby finds Darrick Jackson in violation of Count one of the Ethics Reform Act and hereby adopts the Statement of Facts, Conclusions of Law, Admissions, and Disposition as agreed upon by Respondent.

THEREFORE, the State Ethics Commission hereby issues this written warning to

Darrick Jackson for his violation of Section 8-13-700(A) of the Ethics Reform Act,


AND, orders Respondent not use his official office to obtain an economic interest for himself,

AND, orders Respondent to pay the Town of Timmons ville \$100.00 within 30 days of receipt of the signed order,

AND, orders Respondent to pay an administrative fee of \$100.00 within 30 days of receipt of the signed order,

AND IT IS SO ORDERED THIS _____ DAY OF _____ 2012.

STATE ETHICS COMMISSION


Darrick Jackson
Respondent

PHILLIP FLORENCE, JR.
CHAIR